

Consultation Document:

Class IX Tugs Under 500GT - Guidance for Exemption from the Carriage of a Rescue Boat

May 2019

# **Contents**

|  |  |
| --- | --- |
| [**Section 1: Overview of this consultation**](#_Section_1:_Overview) | **1** |
| [Aim](#_Aim) | 1 |
| [Views sought](#_Views_sought) | 1 |
| [Deadline for responses](#_Deadline_for_responses) | 1 |
|  |  |
| [**Section 2: Areas for consideration**](#_Section_2:_Areas) | **1** |
| [Background](#_2.1_Background) | 1 |
| [Proposed Changes](#Proposed) | 1 |
|  |  |
| [**Section 3: Responding to this consultation document**](#respond) | **1** |
| [Consultees](#consultees) | 1 |
| [Duration](#duration) | 2 |
| [Submitting your response](#submitting) | 2 |
| [Freedom of Information and Data Protection](#FOI) | 2 |
| [**Section 4: Outline plans beyond this consultation**](#_Section_4:_Outline) | **3** |
| [**Section 5: Response form**](#_Section_5:_Response) | **4** |
| [**Section 6: Conduct of this consultation**](#_Section_6:_Conduct) | **6** |
| [Consultation Principles](#_Consultation_criteria) | 6 |
| [Feedback on conduct of consultation](#_Feedback_on_conduct) | 6 |
| [MCA consultation feedback form](#Feedback) | 7 |
|  |  |

# **Section 1: Overview of this consultation**

## Aim

1.1. This consultation seeks your views on a new Marine Guidance Notice (MGN) for Class IX Tugs Under 500GT - Guidance for Exemption from the Carriage of a Rescue Boat

## Views sought

1.2. Your views are sought on the MGN in general, which contains risk mitigations if a Class IX tug owner/operator wishes to be exempt from the statutory carriage of a rescue boat.

## Deadline for responses

1.3. Responses are welcomed from 27/05/2019 Until 21/06/2019.

# **Section 2: Areas for consideration**

##

## Background

## 2.1. Tug designs over the previous two decades have improved dramatically, with the master of a vessel having improved visibility, control and manoeuvrability, and the crew hardly needing to access the open deck. These design changes have meant the risk of a man overboard (MOB) occurring are significantly reduced, and such vessels can themselves be easily manoeuvred to recover a MOB quicker and easier than by using a rescue boat. The MCA has previously accepted several requests for exemptions from tug owners/operators.

Proposed Changes

## 2.2. This MGN will provide a clear set of risk mitigations for a tug owner/operator to consider before applying for exemption from the carriage of a rescue boat. The MGN will also provide a transparent procedure for applying for an exemption in this regards.

2.3 This MGN has been written with support from the British Tug Association and other UK tug owners/operators.

 **Section 3: Responding to this consultation**

## Consultees

3.1. Anyone may respond to this consultation and consideration will be given to all responses.

## Duration

3.2. This consultation is open for 4 weeks from 27/05/2019. The deadline for responses is 21/06/2019.

## Submitting your response

3.3. Consultation responses should be emailed to marinetechnology@mcga.gov.uk. Any questions should be sent to this email address.

3.4. When responding, representative groups are asked to give a summary of the people and organisations they represent, and where relevant who else they have consulted in reaching their conclusions.

## Freedom of Information

3.5. Information provided in response to this consultation, including personal information, may be subject to publication or disclosure in accordance with the Freedom of Information Act 2000 (FOIA) or the Environmental Information Regulations 2004.

3.6. If you want the information that you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory Code of Practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence.

3.7. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department/MCA.

3.8. The MCA will process your personal data in accordance with the data protection framework and, in the majority of circumstances, this will mean that your personal data will not be disclosed to third parties.

Data Protection

3.9. The MCA is carrying out this consultation to gather evidence. The consultation is being carried out in the public interest to inform the development of policy.

3.10. The MCA will use your contact details to send you information about the consultation, for example if we need to ask follow-up questions, as part of its functions as a government department. Your information will be kept secure and will not be used for any other purpose without your permission.

3.11. To find out more about how the MCA looks after personal data, your rights, and how to contact our data protection officer, please go to:

 <https://www.gov.uk/government/organisations/maritime-and-coastguard-agency/about/personal-information-charter>

If you do not wish to remain on this list, please reply and let us know.

# **Section 4: Outline of plans beyond this consultation**

4.1. Once this consultation closes we will review all responses. In considering the responses we will apply appropriate weight to those from organisations and individuals with specialist knowledge of the subject area.

4.2. We will be analysing the responses during June 2019. Our aim is to publish an overview of the responses and the MCA’s comments by ………., which will be available from: [www.gov.uk/government/publications](http://www.gov.uk/government/publications)

4.3. Where appropriate the draft Guidance, accompanying guidance and impact assessment will be revised to take into consideration the consultation responses.

4.4. Our aim is for the MGN to be published in July 2019.

# **Section 5: Response form**

|  |  |
| --- | --- |
| What is your name?  |  |
| What is your email address? |  |
| What is your job title? |  |

|  |
| --- |
| **When responding please state whether you are responding as an individual or representing the views of an organisation:** |
|  |
|[ ]  I am responding as an individual |  |
|[ ]  I am responding on behalf of an organisation |  |
|  |  (name of organisation) |  |

**Please check the box that best describes you as a respondent and the size of your organisation:**

|  |  |
| --- | --- |
| Respondent Type | Size of Organisation |
|[ ]  Classification Society |[ ]  Large business (over 250 staff) |
|[ ]  Government Agency/Department |[ ]  Medium business (50 to 250 staff) |
|[ ]  Individual |[ ]  Micro business (up to 9 staff) |
|[ ]  Legal representative |[ ]  Small business (10 to 49 staff) |
|[ ]  Protection & Indemnity  |  |  |
|[ ]  Seafarer |  |  |
|[ ]  Ship Operator |  |  |
|[ ]  Ship Owner |  |  |
|[ ]  Trade Union  |  |  |
|[ ]  Other |  |  |
|  | (please describe) |  |

**Section 5.1 Consultation Comments**

Please provide comments on the MGN and its contents…

**Please return completed response forms to** **marinetechnology@mcga.gov.uk**

Alternatively responses may be posted to: Ship Standards, Maritime & Coastguard Agency, Spring Place, 105 Commercial Road, Southampton, SO15 3EG

# **Section 6: Conduct of this consultation**

6.1. This consultation has been conducted in accordance with the Cabinet Office Consultation Principles.

## Consultation principles

6.2. The Cabinet Office Consultation Principles can be found at:

<https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/492132/20160111_Consultation_principles_final.pdf>

## Feedback on conduct of consultation

6.3. If you have any comments regarding the conduct of this consultation, please contact the Consultation Co-ordinator at consultation.coordinator@mcga.gov.uk.

6.4. We are continually trying to improve the way in which we conduct consultations and appreciate your views. We would be grateful if you could complete and return the attached feedback form. These should be submitted to the Consultation Co-ordinator and are not affected by the deadline for this consultation.

6.5 If you require this consultation in an alternative format, please contact either the Consultation Co-ordinator or the named official conducting this consultation.

**MCA CONSULTATION FEEDBACK FORM**

1. Please indicate on which Consultation you are providing feedback:

***……………………………………………………………………………***

|  |  |
| --- | --- |
| 2a. | Please indicate whether you are responding on behalf of: |
|  |[ ]  Yourself as an Individual |
|  |[ ]  A Trade Association |
|  |[ ]  A Company |
|  |[ ]  A Government Organisation |
|  |[ ]  A Trade Union |
|  |[ ]  Other(please specify) |  |

|  |  |
| --- | --- |
| 2a. | Please indicate whether you accessed this consultation package through: |
|  |[ ]  Post |
|  |[ ]  Email |
|  |[ ]  Website |

|  |  |
| --- | --- |
| 3. | Please rate the quality of this consultation regarding accuracy, good English and spelling: |
|  |[ ]  Very good |
|  |[ ]  Good |
|  |[ ]  Average |
|  |[ ]  Poor |
|  |[ ]  Very Poor |

|  |  |
| --- | --- |
| 4. | Please rate the format of the consultation presentation (layout, Annexes etc.): |
|  |[ ]  Very good |
|  |[ ]  Good |
|  |[ ]  Average |
|  |[ ]  Poor |
|  |[ ]  Very Poor |

|  |  |
| --- | --- |
| 5. | Please rate the consultation in terms of how clear and concise you felt it was: |
|  |[ ]  Very good |
|  |[ ]  Good |
|  |[ ]  Average |
|  |[ ]  Poor |
|  |[ ]  Very Poor |

|  |  |
| --- | --- |
| 6. | Did you feel that the consultation was conducted over a sufficient period of time? |
|  |[ ]  Yes |
|  |[ ]  No |

|  |  |
| --- | --- |
| 7. | Were any representative groups, organisations or companies not consulted who you felt should have been? |
|  |[ ]  Yes |
|  |[ ]  No |
|  | If yes, who? |  |

|  |  |
| --- | --- |
| 8. | Please let us have any suggestions for improvement or other comments you wish to make about this consultation below: |
|  |  |

Thank you for your time. Please return this form to:

Consultation Co-ordinator,

Maritime and Coastguard Agency,

Spring Place, Bay 3/26, 105 Commercial Road

Southampton SO15 1EG

Or e-mail it to: consultation.coordinator@mcga.gov.uk

If you are happy to supply your name in case we need to contact you to discuss your views further, please enter it below (this is optional, and your feedback will still be taken into account if you wish to remain anonymous):

|  |  |
| --- | --- |
| Name  |  |
| Tel. No. |  |

**Please note that the deadline for responses to the Consultation itself**

**does not apply to the return of this form.**